Amendments to the Claims

1. (Currently Amended) A method of fabricating an electro-optical device suitable for use in an image forming system, the method comprising the steps of:

~~imbedding~~ embedding ~~a sensor~~ sensors in a substrate to form ~~a~~ sensor ~~area~~ areas, each sensor area substantially overlying an associated sensor, and a non-sensor area;

depositing a base layer over each sensor area and the non-sensor area;

applying a first filter layer on at least a portion of the substrate inclusive of the non-sensor area to at least partially planarize the device; and

applying a second filter layer over at least a portion of the substrate without removing the first filter layer ~~on~~ from the non-sensor area.

2. (Cancelled)

3. (Currently Amended) The method of claim 1, wherein, in the step of applying ~~a~~ the base layer, the base layer is translucent.

4. (Currently Amended) The method of claim 1, further comprising the step of mounting the electro-optical device in ~~an~~ the image forming system.

5. (Currently Amended) The method of claim 1, wherein, in the steps of applying the filter layers, at least one of the first and second filter layers contains a pigment.

6. (Currently Amended) The method of claim 1, further comprising the step of applying ~~a~~ the second filter layer on at least a portion of ~~a second~~ the non-sensor area to at least partially planarize the device.

7. (Currently Amended) The method of claim 6, further comprising the step of applying a third filter layer over at least a portion of the substrate without removing the second filter layer ~~on~~ from the ~~second~~ non-sensor area.

8. (Currently Amended) The method of claim 7, wherein, in the steps of applying the filter layers, the first filter layer corresponds to a first primary color, the second filter layer corresponds to a second primary color, and the third filter layer corresponds to a third primary color.

Claims 9 and 10 (Cancelled)

11. (Currently Amended) A method of applying a filter layer of substantially uniform thickness for an image forming system, the method comprising the steps of:

providing a ~~wafer~~ substrate containing at least ~~two photosensors~~ a first photosensor and a second photosensor, the first photosensor positioned closer to a point of an initial filter application than the second photosensor; and

applying a first filter layer on the substrate inclusive of at least a portion of a non-sensor area of the ~~wafer~~ substrate to create an uniform surface ~~for applying~~ to deposit a second filter layer of ~~substantial~~ the substantially uniform thickness over the ~~at least two~~ photosensors, the non-sensor area being an area complimentary to each area overlying each photosensor.

12. (Currently Amended) The method of claim 11, further comprising the step of applying a base layer on the ~~wafer~~ substrate before the step of applying the first filter layer.

13. (Currently Amended) An electro-optical device suitable for use in an image forming system, the device comprising:

a substrate;

a sensor embedded in the substrate forming a sensor area and a non-sensor area;

a first filter layer on at least a portion of the non-sensor area to at least partially planarize the device; and

a second filter layer applied over at least a portion of the substrate without removing the first filter layer ~~on~~ from the at least a portion of the non-sensor area.

14. (Currently Amended) The electro-optical device ~~of device~~ of claim 13, further comprising a base layer on the substrate.

15. (New) A method of fabricating a color sensing semiconductor device comprising:

embedding at least a first sensor, a second sensor and a third sensor in a substrate;

the first sensor defining an associated first sensor area, overlying the first sensor, and a first non-sensor area, disposed near the first sensor area;

the second sensor defining an associated second sensor area, overlying the second sensor;

the third sensor defining an associated third sensor area, overlying the third sensor, and a second non-sensor area, disposed near the third sensor area;

depositing a first filter layer over the substrate, exclusive of the third sensor area;

depositing a second filter layer over the substrate, exclusive of the first sensor area; and

depositing a third filter layer over the substrate, exclusive of the second sensor area.

16. (New) The method as set forth in claim 15, further including:

applying a clear base layer before depositing the first filter layer over the substrate.

17. (New) The method as set forth in claim 15, further including:

removing the first filter layer from the non-sensor areas after depositing the second filter layer; and

removing the second filter layer from the non-sensor areas after depositing the third filter layer.

18. (New) The method as set forth in claim 15, wherein the first filter layer corresponds to a first subtractive primary color, the second filter layer corresponds to a second subtractive primary color and the third filter layer corresponds to a third subtractive primary color.